

Country/entity	Ireland United Kingdom Northern Ireland
Region	Europe and Eurasia
Agreement name	Agreement between the British and Irish Governments: Monitoring and Compliance
Date	1 Apr 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Interstate/intrastate conflict(s)

Northern Ireland Conflict (1968 - 1998)

Commonly referred to as 'the Troubles', the most recent conflict over the territory of Northern Ireland can be framed as beginning in 1968 and ending with the Belfast Agreement (also known as the Good Friday Agreement) in 1998. While the genesis of the conflict was closely related to pressures for the state to reform with relation to discrimination against the (minority) Catholic population, the core issue of the conflict as it proceeded was the constitutional status of Northern Ireland, which was contested between the unionist/loyalist (mostly Protestant) majority, who wanted the territory to remain as part of the United Kingdom, and the nationalist/republican (mostly Catholic) minority, whose goal was to unite the six provincial counties with the Republic of Ireland. The thirty years prior to the Belfast or Good Friday Agreement were marked by inter-communal violence, active paramilitary groups, and the deployment of the British army in the province. Mediation by international actors, and dialogue between the British and Irish governments, and between the IRA and its representatives and the British Government eventually resulted in a ceasefire respected by the majority of combatants. Talks led to the Belfast or Good Friday Agreement which established a power-sharing system of governance between nationalist and unionist communities.

Close

Northern Ireland Conflict (1968 - 1998)

Stage	Implementation/renegotiation
Conflict nature	Government/territory
Peace process	Northern Ireland peace process
Parties	UK government, Irish Government

Third parties	-
Description	Agreement between the British and Irish Governments for the establishment of a new body that will monitor and report on the carrying out of commitments relating to the ending of paramilitary activity and the programme of security normalisation, i.e. Independent Monitoring Commission.

Agreement document	UK_IE_030401_Agreement between the British and Irish Governments, Monitoring and Compliance.pdf (opens in new tab) Download PDF
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Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform Page 2-3, MONITORING AND COMPLIANCE, 3. The following procedures will apply. Any incidents of non-compliance by any party will, in the normal course of events, be subject to either political exposure or, where appropriate, the process of law. However, with a view to further enhancing public confidence, the Governments recognise that it will also be important to consider other appropriate responses to non-compliance in the light of any reports on breaches by the Independent Monitoring Body...The British Government would envisage amending the Northern Ireland Act 1998 to enable a variety of responses appropriate to the gravity of the breach in question, including motions of censure, the withholding of allowances, temporary suspension from participation in the Agreement's institutions or, in the most serious cases, exclusion for varying periods, to be made.
State of emergency provisions	No specific mention.

Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 7.
The Independent Monitoring Body would consult as required with the Policing Board, the Oversight Commissioner and the Independent International Commission on Decommissioning.

Armed forces Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 2.
In relation to the British Government's commitments to a package of security normalisation measures, the Independent Monitoring Body would publish reports as to whether those measures were being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government's obligation to ensure the safety and security of the community as a whole, including:

- demolition of towers and observation posts;
- withdrawal of troops from police stations;
- closure and dismantling of military bases and installations;
- troop deployments and withdrawals from Northern Ireland and levels of British Army helicopter use;

DDR Security sector→DDR→Demilitarisation provisions
Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 7.
The Independent Monitoring Body would consult as required with the Policing Board, the Oversight Commissioner and the Independent International Commission on Decommissioning.

Intelligence services No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 2, MONITORING AND COMPLIANCE, 2.

A new independent body will therefore be created that will monitor and report on the carrying out of the commitments relating to the ending of paramilitary activity and the programme of security normalisation, as set out in paragraphs 12-19 and Annex 1 of the Joint Declaration. It will also have a more general responsibility to consider claims by any party in the Assembly that another party is fundamentally in breach of requirements in the Declaration of Support or elsewhere in the Agreement. The body will have four members, two appointed by the British Government (including one from Northern Ireland) and one each by the Irish and US Governments. It will carry out its activities with a view to promoting public confidence and ensuring that any serious noncompliance with these acts of completion is identified and reported. The terms of reference of this independent body are outlined in the attached annex.

Page 4, ANNEX: TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 1.

In relation to the remaining threat from paramilitary groups the Independent Monitoring Body would publish its findings on:

- any continuing paramilitary involvement in attacks on the security forces, murders, sectarian attacks, involvement in riots, and other criminal offences;
- any continuing involvement of paramilitary groups in training, targeting, intelligence gathering, acquisition or development of arms or weapons and other preparations for terrorist campaigns;
- the extent to which any paramilitary groups still appear to be engaged in punishment beatings/attacks and exiling;
- their assessment of whether the leaderships of such organisations are directing such incidents or seeking to prevent them; and
- trends in security incidents.

**Withdrawal of
foreign forces**

No specific mention.

Corruption

No specific mention.

**Crime/organised
crime**

No specific mention.

Drugs	No specific mention.
Terrorism	<p>Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 1. In relation to the remaining threat from paramilitary groups the Independent Monitoring Body would publish its findings on:</p> <p>... • any continuing involvement of paramilitary groups in training, targeting, intelligence gathering, acquisition or development of arms or weapons and other preparations for terrorist campaigns;</p> <p>Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 2. In relation to the British Government's commitments to a package of security normalisation measures, the Independent Monitoring Body would publish reports as to whether those measures were being fully implemented within the agreed timescales, in the light of its assessment of the paramilitary threat and the British Government's obligation to ensure the safety and security of the community as a whole, including:</p> <p>... • the repeal of counter-terrorist legislation particular to Northern Ireland.</p>

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 2-3, MONITORING AND COMPLIANCE, 3.
The following procedures will apply. Any incidents of non-compliance by any party will, in the normal course of events, be subject to either political exposure or, where appropriate, the process of law. However, with a view to further enhancing public confidence, the Governments recognise that it will also be important to consider other appropriate responses to non-compliance in the light of any reports on breaches by the Independent Monitoring Body. In this connection, the Governments propose that if the Independent Monitoring Body concluded, following its own inquiries, that there were good reasons to believe that a party or individual member of the Assembly was in breach, it would report its findings to the two Governments, making clear what action needed to be taken to remedy the breach and what measures, if any, it would be appropriate to apply. The Governments would initiate discussions in the Implementation Group to consider the action to be taken in response to the report. If the Implementation Group recommended that a motion be put before the Assembly, the Secretary of State would give notice requiring the motion to be moved. Any motion put before the Assembly following the tabling of a report would be subject to decision on a cross-community basis. Where such a motion failed to attract cross-community support, or where the Implementation Group had failed to agree a course of action, it would be a matter for the British Government, in consultation with the Irish Government and the parties, to resolve the matter in a manner consistent with the report of the Independent Monitoring Body. The British Government would envisage amending the Northern Ireland Act 1998 to enable a variety of responses appropriate to the gravity of the breach in question, including motions of censure, the withholding of allowances, temporary suspension from participation in the Agreement's institutions or, in the most serious cases, exclusion for varying periods, to be made.

Page 4, ANNEX, TERMS OF REFERENCE OF THE INDEPENDENT MONITORING BODY, 3.
At the request of the Governments, the Independent Monitoring Body may be asked to consider claims by any party in the Assembly that another party is in breach of requirements in the Declaration of Support or elsewhere in the Agreement.

Related cases No specific mention.

Source Irish DFA